UNITED STATES PATENT AND TRADEMARK OFFICE

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09/955,059	09/19/2001	Itaru Hatanaka	1046.1261	8631

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _12/24/09, 9/28/09, 2/3/09, 10/3/08_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _See Continuation Sheet_ is/are pending in the application.

   4a) Of the above claim(s) _See Continuation Sheet_ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _29,66-70,74 and 76_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _19 September 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Continuation of Disposition of Claims:

Claims pending in the application are 19,21-25,29,31-33,38,61,64,66-70,74,76-78,83,109,111-115,121-123,128 and 136.

Continuation of Disposition of Claims:

Claims withdrawn from consideration are 19,21-25,31-33,38,61,64,77,78,83,109,111-115,121-123,128 and 136.

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

2.   ***Applicant's election without traverse of Invention I (claims 29, 66-70, 74, and 76)*** in the reply filed on *24 December 2009* is acknowledged and appreciated.

3.   ***Claim 136 is withdrawn*** from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on *24 December 2009*.

4.   Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   *Claims 67-70, 74, and 76* are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7.   Claim 67-70, 74, and 76 each separately recites the limitation "***The storage medium readable by a machine tangible embodying a program***" (*line 1*). There is insufficient antecedent basis for this limitation in the claims.

        The Applicant is respectfully requested to clarify whether in each instance the above limitation is intended to be identical to, or distinct from, the earlier claimed, "***A computer readable storage medium embodying a program of instructions executable by a machine***" (*claim 66, line 1*).

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9.   *Claims 29, 66-70, 74, and 76* are rejected under 35 U.S.C. 102(b) as being anticipated by ***Astiz et al (US 5,918,012 A)***.

Regarding claim 29, *Astiz* discloses a control system [*e.g., Fig. 3*] for controlling a

display device [*e.g., Fig. 3: Viewer Display*] including

a reproducing unit [*e.g., Fig. 3: video viewer 31*] reproducing a motion picture [*e.g., Fig.

3: the illustrated data file representing full motion video*] recorded on a recording medium [*e.g.,*

Fig. 1: file servers store the data files used by the networked personal computers PCs; and

wherein Fig. 3: data processor 30 is a standard PC including memory]

wherein said recording medium is recorded with an image [*e.g., Fig. 3: image map 35*

containing assigned URLs for additional images, videos, documents, etc.] related to an object

[*e.g., user selectable/clickable "hot spots"*] together with the motion picture,

a display unit [*e.g., Fig. 4*] displaying the motion picture [*e.g., Fig. 4: 41*] reproduced by

the reproducing unit, and

a pointing unit [*e.g., a computer pointing device, such as a mouse*] pointing a position

[*e.g., Fig. 3: X, Y coordinates*] on the motion picture,

said control system comprising:

a communication unit [*e.g., Fig. 3: browser 32*] transmitting the position [*e.g., Fig. 3:*

data request containing X, Y coordinate data for an video frame number t] on the motion picture

receiving a pointing manipulation [*e.g., clicking the mouse pointer*] to a server [*e.g., Fig. 3:*

HTTP internet server 33] including

a unit [*e.g., Fig. 3: server 33 running the videomap script 34 with the loaded video/image*

map 35] recognizing an object [*e.g., a matched "hot spot"*] in the motion picture based on the

position on the motion picture, and

receiving, from said server, information [*e.g., Fig. 3: retrieved URL data retrieved by browser 32*] on the object in the motion picture recognized by said server; and

a processing unit [*e.g., Fig. 3: 32*] executing a predetermined process [*e.g., requesting the data file specified in the retrieved URL*] related to the object recognized, and

wherein said processing unit makes said reproducing unit reproduce [*e.g., when the data file specified in the retrieved URL is another video data file*] from said recording medium the image related to the object and

makes said display device display the reproduced image [*e.g., Fig. 4: 43*]

(*see the entire document, including Figs. 7-8; Column 5, Line 50 - Column 9, Line 58*).

Regarding claim 66, this claim is rejected by the reasoning applied in rejecting claim 29; furthermore, ***Astiz*** discloses a computer readable storage medium [*e.g., Fig. 1: file servers store the data files used by the networked personal computers PCs; and wherein Fig. 3: data processor 30 is a standard PC including memory*] embodying a program of instructions [*e.g., Fig. 4: operating system 40*] executable by a machine [*e.g., Fig. 3: data processor 30 includes a microprocessor for executing, for example, Microsoft Windows and a Netscape Navigator browser; the browser 32 executing the video viewer 31; and the HTTP server 33 executing the C program videomap script 34*] including

a communication unit [*e.g., Fig. 1: modem, router, internet*] to control a display device [*e.g., Fig. 3: data processor 30*] including

a display unit [*e.g., Fig. 4*] displaying a motion picture [*e.g., Fig. 4: video viewer screen 41 displays full motion video*] and

a pointing unit [*e.g., a computer pointing device, such as a mouse*] pointing a position

[*e.g., Fig. 3: X, Y coordinates*] on the motion picture,

to perform operations comprising:

transmitting the position [*e.g., Fig. 3: data request containing X, Y coordinate data for an*

video frame number t] on the motion picture receiving a pointing manipulation [*e.g., clicking the*

mouse pointer] to a server [*e.g., Fig. 3: HTTP internet server 33*] including

a recognizing unit [*e.g., Fig. 3: server 33 running the videomap script 34 with the loaded*

video/image map 35] recognizing an object [*e.g., a matched "hot spot"*] in the motion picture

receiving the pointing manipulation;

receiving, from said server, information [*e.g., Fig. 3: retrieved URL data retrieved by*

browser 32] on the object in the motion picture recognized by said server; and

executing a predetermined process [*e.g., requesting the data file specified in the retrieved*

URL] related to the object recognized

(*see the entire document, including Figs. 7-8; Column 5, Line 50 - Column 9, Line 58*).

Regarding claim 67, ***Astiz*** discloses said display device further includes a receiving unit

receiving data,

said receiving unit [*e.g., Fig. 3: video viewer 31*] receives first data [*e.g., Fig. 4: a first*

video file displayed in screen 41] containing the motion picture [*e.g., Fig. 3: the illustrated data*

file representing a first full motion video, prior to the user clicking on a "hot spot"], and

second data [*e.g., Fig. 3: the illustrated data file representing a second full motion video, after to the user clicks on a "hot spot"*] related to the object in the motion picture contained in the first data, and

said predetermined process involves making said display device output the second data [*e.g., Fig. 4: a second video file displayed in screen 43*] related to the object recognized

(*see the entire document, including Figs. 7-8; Column 5, Line 50 - Column 9, Line 58*).

Regarding claim 68, *Astiz* discloses the second data contains an image [*e.g., Fig. 4: 43*] related to the motion picture of the first data (*e.g., see Column 11, Lines 45-50*).

Regarding claim 69, *Astiz* discloses the second data is multiplexed with the first data and thus distributed (*e.g., see Fig. 4; Column 6, Lines 35-65*).

Regarding claim 70, *Astiz* discloses the first data [*e.g., a .BTV File*] is constructed with a predetermined data structure [*e.g., an .AVI File + BTV header*] and

the second data is embedded in a margin [*e.g., Fig. 9: BTV header*] formed in the data structure (*e.g., see Column 12, Lines 30-65*).

Regarding claim 74, *Astiz* discloses said display device includes a reproducing unit [*e.g., Fig. 3: video viewer 31*] reproducing the motion picture recorded on a recording medium [*e.g., Fig. 3: data processor 30 is a standard personal computer including memory*],

said recording medium is recorded with an image [*e.g., Fig. 3: image map 35 containing*

assigned URLs for additional images, videos, documents, etc.] related to an object [*e.g., user*

selectable/clickable "hot spots"] of a corresponding motion picture, and

said predetermined process involves reproducing [*e.g., Fig. 3: the illustrated data file*

representing a second full motion video, after to the user clicks on a "hot spot"] from said

recording medium the image related to the object and

making said display device display the reproduced image [*e.g., Fig. 4: a second video file*

displayed in screen 43]

(*see the entire document, including Figs. 7-8; Column 5, Line 50 - Column 9, Line 58*).

Regarding claim 76, *Astiz* discloses reproducing [*e.g., Fig. 3: the illustrated data file*

representing a first full motion video, prior to the user clicking on a "hot spot"] the motion

picture [*e.g., Fig. 4: a first video file displayed in screen 41*] recorded on a recording medium

[*e.g., Fig. 3: data processor 30 is a standard personal computer including memory*],

wherein said transmitting involves, when the motion picture to be reproduced receives

the pointing manipulation, transmitting, to said server, information [*e.g., Figs. 3, 9: map address*

includes image map 35 information] for specifying the motion picture to be reproduced and

information for specifying a position [*e.g., Fig. 3: data request containing X, Y*

coordinate data for an video frame number t] where the pointing manipulation is effected on the

motion picture

(*see the entire document, including Figs. 7-8; Column 5, Line 50 - Column 9, Line 58*).

Response to Arguments

10.   Applicant's arguments filed on *3 October 2008* have been fully considered but they are

not persuasive.

        Applicant's arguments with respect to *claims 29, 66-70, 74, and 76* have been considered

but are moot in view of the new ground(s) of rejection.

        By such reasoning, rejection of the claims is deemed necessary, proper, and thereby

maintained at this time.

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeff Piziali/
Primary Examiner, Art Unit 2629
6 March 2010